

United States District Court

for

District of New Jersey

Petition for Warrant for Offender Under Supervision

Name of Offender: Theresa Ann Salinas

Docket Number: 10-00708-001

PACTS Number: 57921

Name of Judicial Officer: Honorable Stanley R. Chesler

Date of Original Sentence: 10/03/2008

Date of Violation Hearing: 05/28/2010

Date of 2nd Violation Hearing: 09/15/2011

Original Offenses: Bringing in and Harboring Aliens; Aiding and Abetting

Violation Offense: Failure to report change of residence/employment; Failure to participate in Mental Health Treatment

2nd Violation Offense: Leaving the district without permission

Original Sentence: 15 months imprisonment; 3 years supervised release

Violation Sentence: 2 months imprisonment; 34 months supervised release

2nd Violation Sentence: Time served; 11 months supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: 09/27/11

Assistant U.S. Attorney: Vikas Kahann, 970 Broad Street, Room 502 Newark, New Jersey 07102
(973) 645-2700

Defense Attorney: Patrick McMahon, 1002 Broad Street, Newark, New Jersey 07102, (973) 645-6347

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The offender has violated the special condition which states 'The defendant shall reside for a period of three months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall not be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.'

On September 28, 2011, Salinas commenced her eleven-month-term at Toler House. Since that time, she has been cited on several occasions for non-compliance, including but not limited to fraternizing with male inmates, lack of accountability while in the community, and lying to the staff. Rather than initiate

violation proceedings, Salinas was referred to mental health counseling and ordered to participate in Moral Reconciliation Therapy (MRT).

On July 18, 2012, the probation officer met with the offender, case manager and acting director of Toler house. The offender admitted she consumed alcohol on July 4th and visited her boyfriend's residence without authorization. On July 20, 2012, the probation officer received a memo from Toler house classifying the offender as a program failure and their recommendation for discharge.

2

The offender has violated the supervision condition which states 'You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.'

In November 2011, the offender associated with Zakeish Johnson and was not granted permission to do so by the probation officer.

I declare under penalty of perjury that the foregoing is true and correct.

Carolee Ann

Azzarello

2012.07.26

By: Elisa Martinez 16:27:08 -04'00'

U.S. Probation Officer

Date: 7/26/12

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other



Signature of Judicial Officer

7/30/12

Date

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

WILFREDO TORRES
CHIEF PROBATION OFFICER

THOMAS C. MILLER
DEPUTY CHIEF PROBATION OFFICER

July 26, 2012

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Honorable Stanley R. Chesler
United States District Court Judge
Martin Luther King Jr. Federal Bldg. & Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: Salinas, Theresa
Dkt# 10-00708-001
Notice of Violation of Supervised Release
Petition to Issue a Violation Warrant

Dear Judge Chesler:

On October 3, 2008, the Honorable Janis L. Sammartino in the United States District Court, Southern District of California, sentenced the offender to 15 months imprisonment, followed by 36 months supervised release for Bringing in Illegal Aliens and Aiding and Abetting. She was ordered to abide by the special conditions of search and seizure, reside in a residential reentry center, and participate in drug and mental health treatment. On July 21, 2009, Salinas was released from custody and commenced her supervision in the District she resided, Maine. Jurisdiction was transferred to that district.

On May 28, 2010, the offender appeared before the Honorable John A. Woodcock, Jr. in the United States District Court, District of Maine for a violation hearing. She was sentenced two months imprisonment, followed by 34 months of supervised release for her failure to participate in mental health treatment, and for not notifying the probation office ten days prior to a change of residence.

On June 25, 2010, Salinas began her second term of supervised release. In August 2010, she relocated to the District of New Jersey and we began supervising her. On October 14, 2010, Your Honor accepted jurisdiction of the offender.

On September 15, 2011, Salinas appeared before Your Honor for violating the terms of supervision. She was sentenced to time served and 11 months of supervised release for traveling outside of the District without authorization. The offender was ordered to serve all 11 months of supervised release at community confinement center (halfway house).

On September 27, 2011, upon her release from state custody and, the following day, she entered the community confinement center, Toler House. On July 19, 2012, the offender was classified by Toler House as a "program failure" and is scheduled to be discharged as soon as possible.

As the enclosed petition attests, Salinas is serving her third term of supervised release and is, yet again, non-compliant. The probation office is petitioning the Court to issue a violation of supervised release warrant. Should the Court grant this request, please sign the enclosed Probation Form 12C. Please contact the undersigned probation officer at (973) 445-8519 if Your Honor wishes to discuss this matter.

Respectfully submitted,

WILFREDO TORRES, Chief
U.S. Probation Officer

Carolee Ann

Azzarello

2012.07.26

By: Elisa Martinez 16:22:07 -04'00'
U.S. Probation Officer

/em

Enclosures